

Message Text

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ACTION IO-11

INFO OCT-01 EUR-12 ISO-00 AF-06 ARA-06 EA-07 NEA-10

CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05

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AMEMBASSY LONDON

USUN NEW YORK 2683

AMEMBASSY OTTAWA

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY VIENNA

AMEMBASSY MOSCOW

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EO 11652: N/A

TAGS: SHUM, UN, UNHRC

SUBJECT: HUMAN RIGHTS COMMISSION (HRC) - RESOLUTION ON CSCE

1. US FORMALLY INTRODUCED US DRAFT RES ON CSCE. FRANCE, FRG AND CANADA HAVE ALREADY JOINTED AS CO-SPONSORS; UK AND ITALY EXPECTED TO JOIN IF SOVIETS REJECT WESTERN AMENDMENTS TO SOVIET RES ON DETENTE. TEXT OF INTRODUCTORY STATEMENT WILL BE REPEATED AT END OF THIS MESSAGE.

2. CONSIDERATION ON THIS ITEM NOW ENTERING STAGE OF MAXIMUM CONFUSION. AFTER UK AND ITALY INTRODUCED THEIR AMENDMENTS BY SHARPLY CRITICIZING SOVIET TEXT. SOVIET REP ZORIN REPLIED VEHEMENTLY TO THESE COMMENTS WITH ALL THE DISTORTED

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QUOTATIONS FROM UN CHARTER AND CONTORTED LOGIC THAT THIS OLD LINE SOVIET PROSECUTING ATTORNEY COULD MUSTER. ANOTHER

UNHELPFUL DEVELOPMENT IS THAT CUBA AND YUGOSLAVIA HAVE TAKEN ON THE BURDEN FOR NONALIGNED OF PRODUCING A QUOTE COMPROMISE END QUOTE VERSION OF THE SOVIET DRAFT WITH UK/ITALIAN AMENDMENTS. NONALIGNED VERSION SHOULD SURFACE FEB 24, AND THEN PROBLEM WILL AGAIN ARISE OF MAINTAINING WESTERN SOLITARY.

3. ADDRESSEES WILL BE KEPT INFORMED OF FUTURE DEVELOPMENTS.

4. TEXT OF STATE INTRODUCING RESOLUTION ON CSCE FOLLOWS:
BEGIN TEXT:

STATEMENT INTROCUING A RESOLUTION
AFFIRMING HUMAN RIGHTS PROVISION OF THE HELSINKI DECLARATION
BY LEONARD GARMENT
UNITED STATES REP
HUMAN RIGHTS COMMISSION

FEB 23, 1976

MR CHAIRMAN,

I WILL INTRODUCE THE PROPOSED RES IN E/CN.4/L.1325 BY FIRST STATING WHAT IT IS NOT. IT IS NOT A RES THAT SEEKS SUPPORT FOR THE POSITION THAT HUMAN RIGHTS EXIST ONLY AS AN AFTERTHOUGHT TO THE SATISFACTION OF A GOVERNMENT'S POLITICS. IT IS NOT A RES THAT ACCORDS PRIMACY TO ONE HUMAN RIGHT OVER ALL OTHERS. IT OFFERS NO SUGGESTION OF ACQUIESCENCE OR INDIFFERENCE TO VIOLATIONS OF HUMAN RIGHTS SO LONG AS PEACE IS MAINTAINED. INDEED, IT POSES NO SUCH FALSE CHOICE BETWEEN THE FACT OF EXISTENCE AND THE QUALITY OF LIFE. IT MAKES NO ASSUMPTION THAT IT IS BETTER TO BE ALIVE UNDER ANY CIRCUMSTANCES, HOWEVER DEGRADING THAT LIFE MAY BE. IT IS BASED ON THE BELIEF THAT IT IS WORSE THAN BANAL TO SAY THAT WITHOUT LIFE THERE ARE NO HUMAN RIGHTS. THAT IS AN UNTRUTH. MEN AND WOMEN THROUGHOUT HISTORY HAVE CHOSEN TO DIE -- HAVE EXERCISED THEIR ULTIMATE RIGHT OF CHOICE -- RATHER THAN SACRIFICE THE FREEDOM TO SHAPE THEIR INDIVIDUAL LIVES AND THEIR PEOPLE'S DESTINIES. IF WE WERE HERE AND NOW TO RESOLVE THAT THE RIGHT TO LIVE IS THE "RIGHT OF RIGHTS" WE WOULD SOON ENOUGH LEARN TO ACCOMODATE ANY BARBARITY.

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THE RES WE ARE PRESENTING IS SIMPLE, STRAIGHTFORWARD AND ESSENTIALLY DECLARATORY OF A RECENT EVENT THAT HAS POTENTIALLY VALUABLE HUMAN RIGHTS CONSEQUENCES.

I WOULD LIKE TO ADDRESS ONE THOUGHT ON THIS RES TO MY COLLEAGUES ON THE COMMISSION WHOSE GOVERNMENTS WERE NOT SIGNATORIES TO THE HELSINKI PACT. A CAREFUL READING OF THE RES WILL REASSURE YOU THAT IF DOES NOT CARRY WITH IT ANY ATTEMPT TO ARBITRATE RELATIONSHIPS BETWEEN STATES WITH DIFFERENT ECONOMIC AND POLITICAL SYSTEMS. IT DOES NOT SEEK THE SLIGHTEST ADVANTAGE FOR ONE POLITICAL BLOC

OVER ANOTHER. IT CAN BE ACCEPTED BY EVERY MEMBER OF THE
COMMISSION WITHOUT A PATCHWORK OF AMENDMENTS TO BALANCE COMPETING
INTERESTS. IT DOES NOT CONCERN ITSELF WITH ANYTHING BUT THE HUMAN
RIGHTS PROVISIONS OF WHAT IS ADMITTEDLY A COMPLEX DOCUMENT AND
ONE WHOSE IMMEDIATE RELEVANCE IS TO ITS STATES PARTIES. BUT
SINCE IT IS A BALANCED DOCUMENT OF SUCH POTENTIAL IMPORTANCE, AND
ONE THAT INCLUDES SUCH CAREFULLY NEGOTIATED PRIVISIONS ON HUMAN
RIGHTS, WE BELIEVE THOSE PROVISIONS SHOULD HAVE THE OFFICIAL
ATTENTION OF THIS BODY.

END TEXT. BRUNGART

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